



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

JUN - 7 2012

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-127

Certified Mail Number 7011 1150 0000 7954 0991
Return Receipt Requested

CT Corporation System
Registered Agent for BP West Coast Products LLC, Blaine, WA
1801 West Bay Dr NW STE 206
Olympia, WA 98502

Re: Requirement to Provide Information Pursuant to Section 114 of the Clean Air Act

Dear Sir or Madam:

The enclosed Information Request is being issued to you pursuant to Section 114 of the Clean Air Act (CAA), 42 U.S.C. § 7414. The U.S. Environmental Protection Agency (EPA) requests information concerning the flare at the refinery owned and operated by BP West Coast Products LLC (BP) near Blaine, Washington.

Section 114 of the CAA authorizes EPA to request and require the submission of records, reports, and other information for the purpose of determining whether any violations of the CAA have occurred. In accordance with this authority, you are hereby served the enclosed Information Request. You are required to provide the requested information and associated documents within thirty (30) days of your receipt of this Information Request. Please submit your written response to:

John Keenan
U.S. Environmental Protection Agency
1200 Sixth Avenue, Suite 900, OCE-127
Seattle, Washington 98101-3140

We ask that you certify with the enclosed statement of certification that the response you submit to EPA to this Information Request is true, accurate and complete.

Failure to provide the required information in a timely manner may lead to civil action to obtain compliance, or to recover a civil penalty of not more than \$37,500 per day of violation, or both, in accordance with Section 113 of the CAA, 42 U.S.C. § 7413. EPA also has authority under Section 113 to seek criminal penalties against any person who knowingly makes any false statement, representation, or certification in any document required pursuant to the CAA. Even if you fully comply with this letter, you may still be subject to an administrative, civil, or criminal action as provided by the CAA.

You are entitled to assert a claim of business confidentiality, covering all or any required information, in the manner described at 40 C.F.R. § 2.203(b). Note that emission data, which includes information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of emission data, are not entitled to confidential treatment. Information

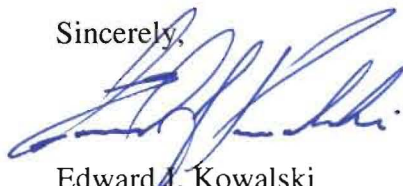
subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth at 40 C.F.R. Part 2, Subpart B. Unless a confidentiality claim is asserted at the time the required information is provided, EPA may make this information available to the public without further notice to you.

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. §§ 3501, et seq.

For technical questions regarding this Information Request, or to discuss whether additional time may be necessary to provide complete responses, please contact John Keenan at (206) 553-1817 or at keenan.john@epa.gov. For legal matters contact Deborah Hilsman, Assistant Regional Counsel, at (206) 553-1810 or at hilsman.deborah@epa.gov.

Thank you for your cooperation in this matter.

Sincerely,



Edward J. Kowalski
Director

Enclosures

cc w/enc: Mark Asmundson
Northwest Clean Air Agency

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101

BP West Coast Products LLC)	CERTIFICATION OF COMPLETE RESPONSE
Cherry Point Refinery)	
Blaine, Washington)	
_____)	

I, _____, hereby certify that the enclosed response to the above-captioned Information Request is true, accurate, and complete. I certify that the portions of this response which I did not personally prepare were prepared by persons acting on the behalf of BP West Coast Products LLC under my supervision and at my instruction, and that the information provided is true, accurate, and complete. I make this certification both on my own behalf, and on behalf of BP West Coast Products LLC, as its authorized representative.

Dated: _____	Signature: _____
	Printed Name: _____
	Title: _____

Enclosure A

Confidential Business Information (CBI)

You may assert a business confidentiality claim covering all or part of the information you provide in response to this information request for any business information entitled to confidential treatment under Section 114(c) of the Clean Air Act (the Act), 42 U.S.C. § 7414, and 40 C.F.R. Part 2, subpart B. Under Section 114(c) of the Act, you are entitled to confidential treatment of information that would divulge methods or processes entitled to protection as trade secrets. Under 40 C.F.R. Part 2, subpart B, business confidentiality means “the concept of trade secrecy and other related legal concepts which give (or may give) a business the right to preserve the confidentiality of business information and to limit its use or disclosure by others in order that the business may obtain or retain business advantages it derives from its rights in the information.” See 40 C.F.R. § 2.201(e).

Information covered by a claim of business confidentiality will be disclosed by EPA only to the extent, and by means of the procedures, set forth in Section 114(c) of the Act and 40 C.F.R. Part 2, subpart B. EPA will construe your failure to furnish a business confidentiality claim with your response to this information request as a waiver of that claim, and the information may be made available to the public without further notice to you.

To assert a business confidentiality claim, you must place on (or attach to) all information you desire to assert as business confidential either a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as “trade secret,” “proprietary,” or “company confidential” at the time you submit your response to this information request. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified, and may be submitted separately to facilitate identification and handling by EPA. You should indicate if you desire confidential treatment only until a certain date or until the occurrence of a certain event.

The criteria EPA will use in determining whether material you claim as business confidential is entitled to confidential treatment are set forth at 40 C.F.R. §§ 2.208 and 2.301. These regulations provide, among other things, that you must satisfactorily show that: (1) the information is within the scope of business confidentiality as defined at 40 C.F.R. § 2.201(e), (2) that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, (3) the information is not and has not been reasonably obtainable by legitimate means without your consent, and (4) the disclosure of the information is likely to cause substantial harm to your business’s competitive edge. See 40 C.F.R. § 2.208 (a)-(e). Emission data, as defined at 40 C.F.R. § 2.301(a)(2), is expressly not entitled to confidential treatment under 40 C.F.R. Part 2, subpart B. See 42 U.S.C. § 7414(c); 40 C.F.R. § 2.301(e).

If you assert a claim of business confidentiality in connection with information and documents forwarded in response to this request for information, in accordance with 40 C.F.R. § 2.204(e)(4), EPA is requesting that you answer the following questions with respect to any information or document for which you assert a claim of business confidentiality:

1. What specific portions of the information are alleged to be entitled to confidential treatment? Specify by page, paragraph, and sentence when identifying the information subject to your claim.
2. For what period of time do you request that the information be maintained as

confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, specify that event. Additionally, explain why the information should be protected for the time period you've specified.

3. What measures have you taken to protect the information claimed as confidential from undesired disclosure? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity whether disclosure of the information is likely to result in substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
7. Is there any other explanation you deem relevant to EPA's determination of your business confidentiality claim that is not covered in the preceding questions? If so, you may provide such additional explanation.

You must furnish comments to the above questions concurrent with your response to this information request if you have claimed any information as business confidential. See 40 C.F.R. § 2.204(e)(2). Pursuant to 40 C.F.R. § 2.205(b)(2), you may request an extension of this deadline. EPA will construe your failure to furnish timely comments as a waiver of your confidentiality claim, consistent with 40 C.F.R. § 2.204(e)(1). Please submit your comments to:

Deborah Hilsman
Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 10
1200 Sixth Ave (Suite 900), ORC-158
Seattle, Washington 98101

Pursuant to 40 C.F.R. § 2.205(c), you are hereby advised that information you submit as part of your comments may be regarded by EPA as entitled to confidential treatment if, when it is received by EPA, it is marked in accordance with 40 C.F.R. § 2.203(b). As required by 40 C.F.R. § 2.204(e)(6), you may assert a business confidentiality claim covering all or part of your response to these questions, as provided in 40 C.F.R. § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in Section 114(c) of the Clean Air Act (the Act) and 40 C.F.R. Part 2. EPA will construe the failure to furnish a confidentiality claim with your comments as a waiver of that claim, and the information may be made available to the public without further notice to you.

Enclosure B

Request to Provide Information

In accordance with the foregoing Request to Provide Information Pursuant to the Clean Air Act, BP West Coast Products LLC must provide the following information within thirty (30) days of its receipt of this request. EPA requests that the requested non-narrative information be provided in spreadsheet format, preferably in Excel.

Definitions

“BP” or “you” includes any officer, director, agent, or employee of BP West Coast Products LLC, including any merged, consolidated, or acquired predecessor or parent, subsidiary, division, or affiliate thereof.

"Document" and "Documents" shall mean any object that records, stores, or presents information, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including documentation solely in electronic form, including by way of illustration and not by way of imitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations, including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intra office communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc or disc pack; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory and together with printouts of such punch card, disc, or disc pack, tape or other type of memory); and

- (a) every copy of each document which is not an exact duplicate of a document which is produced,
- (b) every copy which has any writing, figure or notation, annotation or the like on it,
- (c) drafts,
- (d) attachments to or enclosures with any document, and
- (e) every document referred to in any other document.

“Facility” means, for purposes of this Information Request, the BP refinery located near Blaine, Washington.

“Flare” is broadly defined as any open combustion unit (i.e., lacking an enclosed combustion chamber) whose combustion air is provided by uncontrolled ambient air around the flame, and that is used as a control or safety device. A flare may be equipped with a radiant heat shield (with or without a refractory lining), but is not equipped with a flame air control damping system to control the air/fuel mixture. In addition, a flare may also use auxiliary fuel. The combustion flame may be elevated or at ground level.

“Pilot Gas” means gas injected at a flare tip to maintain a flame.

“Purge Gas” or “Sweep Gas” means all gas introduced prior to the Flare tip to protect against oxygen buildup in the Flare header and/or to maintain a constant flow of gas through the flare

and out the tip.

“Supplemental Gas” means all gas introduced to raise the heating value of Waste Gas.

“Vent Gas” means all gases found just prior to the flare tip. This gas includes all Waste Gas, Purge Gas, Supplemental Gas, nitrogen and hydrogen, but does not include Pilot Gas or steam.

“Waste Gas” means all gases routed to a flare for combustion, excluding Purge Gas, Supplemental Gas, Pilot Gas, and steam.

1. For each day beginning on January 1, 2005, until the date of your receipt of this request, list the periods of time (date, start time, and end time) that Waste Gas, Purge Gas, and/or Supplemental Gas was routed to each flare at the Facility (i.e., “venting periods”). This request and all requests below seek information regarding all facility devices meeting the definition of flare, including the emission points designated as the low-pressure flare and the high pressure flare.
2. For each venting period listed in response to paragraph 1 above, provide the average heating value, in British thermal unit per standard cubic feet (BTU/scf), of the stream that was vented to each facility flare. The averaging time shall not be greater than one hour. If the heating value is not measured, you shall use the best means available to estimate it. Provide a narrative explanation and example calculations describing how you arrived at your response.
3. For each venting period listed in response to paragraph 1 above, provide the average mass flow rate of the Vent Gas, in lb/hr, that was vented to each facility flare. The averaging time shall be no more than one hour. If the mass flow rate is not measured, you shall use the best means available to estimate it. Provide a narrative explanation and example calculations describing how you arrived at your response.
4. For each venting period listed in response to paragraph 1 above, provide the average rate at which steam and/or air was being added to each facility flare, in lb/hr for steam and/or scf/hr for air, at all locations on the flare (i.e., the sum of seal, upper, lower, winterizing, etc.) during each venting period. The averaging time shall not be greater than one hour. If the steam and/or air flow is not measured, you shall use the best means available to estimate it. Provide a narrative explanation and example calculations, if appropriate, describing how you arrived at your response.
5. For each venting period listed in response to paragraph 1 above, provide the average steam-to-Vent Gas or air-to-Vent Gas ratio (lb steam/lb Vent Gas or scf of air/lb of Vent Gas) during any release to each facility flare. The averaging time shall be no more than one hour. Provide a narrative explanation and example calculations, if appropriate, describing how you arrived at your response.
6. Provide a one-hour average of the concentration of each constituent in the Vent Gas during venting periods for the dates beginning one month prior to your receipt of this request, until the date of receipt of your request.
7. Provide a list of the primary constituents in the Vent Gas routed to each flare for venting periods since January 1, 2006, and an estimated range of each constituent's concentration. Except for the period specified in paragraph 6, you need not determine the exact

concentration of all compounds for each period of time, but only the most prominent compounds and an approximate range of concentration.

8. For each facility flare, provide the minimum steam or air addition rate, in lb/hr for steam and/or scf/hr for air, at all locations on the flare (seal, upper and lower). To the extent that the minimum steam or air addition rate changes on a seasonal basis, state the minimum rate for each season and the time periods during which each season's minimum rate applies.
9. Provide copies of any and all documents in your possession, custody, or control that prescribe or recommend the amount of steam or air to be added to each facility flare. Provide a copy of the entire document if, within the document, it states the maximum steam or air rate, minimum steam or air rate, steam or air addition rate associated with a vent scenario, general steam-to-vent gas or air-to-organic gas/vent gas ratio, or any other reference to steam addition.
10. For each facility flare, state with specificity which, if any, federal and/or state regulations regulate/apply to each flare. If any facility flare is listed in a permit issued under federal and/or state regulations, provide an electronic copy, preferably in "PDF", of each currently effective permit.
11. For each facility flare, state whether the flare is configured to receive gases/vapors from one or more pressure relief device(s), which is a safety device used to prevent operating pressures from exceeding the maximum allowable working pressure of the process equipment.
12. For each facility flare, state whether the flare and its associated closed vent system is used as the method of compliance with any federal regulation, including without limitation, the Standards of Performance for New Stationary Sources found at 40 C.F.R. Part 60, the National Emission Standards for Hazardous Air Pollutants found at 40 C.F.R. Part 61, and the National Emission Standards for Hazardous Air Pollutants for Source Categories found at 40 C.F.R. Part 63, (specifically including without limitation any leak detection and repair (LDAR) provisions promulgated under these Parts such as 40 C.F.R. § 60.482-4(c), or 40 C.F.R. § 63.165(c)). In each such case, identify the process unit or equipment that is/are the "affected facility" under the applicable Part and the specific Subpart that applies to the "affected facility."
13. Provide a copy of all flare capacity studies conducted at the refinery for any reason since January 1, 1980.
14. Provide a list of each occasion when a new line or larger line was tied in to a flare gas header since January 1, 1980, that includes the following:
 - a. Identify the header and the flares that are fed by the header;
 - b. State the maximum and average flows of gas added to the header in standard cubic feet per minute (scfm);
 - c. State whether the gas supplied by the new or larger line contained or contains any sulfur and provide the expected average and maximum concentrations of hydrogen sulfide (H₂S), carbonyl sulfide (COS) and carbon disulfide (CS₂) in the gas;
 - d. State the expected average VOC content of the gas supplied by the new or larger line; and
 - e. State the date that the new or larger line was tied in to the flare header.